

STATE OF WISCONSIN

Senate Journal

Ninety–Third Regular Session

WEDNESDAY, June 3, 1998

The Chief Clerk makes the following entries under the above date.

PETITIONS AND COMMUNICATIONS

State of Wisconsin Claims Board

May 27, 1998

The Honorable, The Senate:

Enclosed is the report of the State Claims Board covering the claims heard on May 14, 1998.

The amounts recommended for payment under \$5,000 on claims included in this report have, under the provisions of s. 16.007, Stats., been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$5,000, if any, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,

EDWARD D. MAIN
Secretary

STATE OF WISCONSIN CLAIMS BOARD

The State Claims Board conducted hearings in the State Capitol, Room 424NE, Madison, Wisconsin on May 14, 1998, upon the following claims:

<u>Claimant</u>	<u>Agency</u>	<u>Amount</u>
1. <u>Marilyn K. Stevenson</u>	<u>University of Wisconsin</u>	<u>\$9,403.40</u>
2. <u>Kevin H. Ward</u>	<u>Natural Resources</u>	<u>\$3,000.00</u>
3. <u>William E. Stieglitz</u>	<u>Agriculture, Trade & Consumer Protection</u>	<u>\$12,000.00</u>
4. <u>Rodney Feltz</u>	<u>Transportation</u>	<u>\$3,475.00</u>
5. <u>James Cape & Sons, Co.</u>	<u>Transportation</u>	<u>\$1,277,306.00</u>
6. <u>Life Underwriters PAC/WI Assoc. of Life Underwriters</u>	<u>Ethics Board</u>	<u>\$3,100.00</u>

In addition, the following claims were considered and decided without hearings:

<u>Claimant</u>	<u>Agency</u>	<u>Amount</u>
7. <u>Robert L. Beavers</u>	<u>Corrections</u>	<u>\$5,598.40</u>
8. <u>Mya L. Haessig</u>	<u>Corrections</u>	<u>\$63.23</u>
9. <u>Rosemary M. Flanum</u>	<u>Natural Resources</u>	<u>\$1,563.25</u>

10. George Bolwerk Natural Resources \$409.79

11. Timothy L. Kelso Revenue \$2,438.22

In addition, the following claim, presented at a previous hearing, was considered and decided:

<u>Claimant</u>	<u>Agency</u>	<u>Amount</u>
12. <u>Daniel J. Price</u>	<u>Dodge Co. District Attorney</u>	<u>\$8,280.64</u>

The Board Finds:

1. Marilyn K. Stevenson of Madison, Wisconsin claims \$9,403.40 for medical expenses and lost wages allegedly incurred due to a fall at the South East Recreational Facility (SERF) at the University of Wisconsin—Madison. On Friday, September 27, 1996, the claimant was voluntarily assisting a class at the SERF pool. Before entering the pool, the claimant went to a storage/equipment closet next to the pool area to retrieve kick boards for the class. After entering the storage room, the claimant slipped and fell on a pool of water. She fell backwards and fractured her right wrist. When the claimant entered the storage closet she was wearing a dry swimsuit and foot thongs. There were no signs warning that the floor in the closet might be wet or slippery. The claimant alleges that the UW failed to properly maintain the premises and failed to use reasonable diligence in inspecting the storage closet in order to discover and remedy the dangerous condition of the floor. The claimant requests reimbursement of her medical bills in the amount of \$5,373.40. The claimant is self-employed as a housekeeper and also requests reimbursement of lost wages in the amount of \$4,030 because she was unable to maintain her normal workload from the date of her injury until April 1997. The University of Wisconsin recommends denial of this claim. The claimant filed a lawsuit based on this same incident, Stevenson v. University of Wisconsin and Timothy Gattenby, Case No. 97CV1942 (Dane County Circuit Court). That matter was dismissed, without prejudice, on December 23, 1997. As to the University, the dismissal was based on sovereign immunity. As to the UW's employe, Mr. Gattenby, the court determined that the claimant failed to allege circumstances warranting an exception to the general rule of immunity and failed to state a claim upon which relief could be granted. Since this is not a matter involving the negligence of any state employe, and there is no equitable basis for payment, the UW recommends the claim be denied. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

2. Kevin H. Ward of Madison, Wisconsin claims \$3,000 for attorney's fees incurred due to a defamation lawsuit. In December 1996, the claimant called the Department of Natural Resources tip line to report illegal hunting activity. The claimant stated that he had seen two men hunting deer and turkey and he further stated that one of the hunters was Paul

Roehrig. DNR conservation wardens obtained a search warrant for Mr. Roehrig's home; however, no evidence was discovered to corroborate the allegations of illegal activity. Mr. Roehrig then filed a civil action against the claimant for defamation and slander. This action was dismissed, with prejudice, when the claimant agreed to sign a statement attesting that he was mistaken in his identification of Mr. Roehrig as one of the hunters. The claimant believes that the DNR should assist him, since the DNR relies heavily on tip information from private individuals to discover illegal hunting activity. The Department recommends denial of this claim. The state is not legally liable for the claim and the DNR does not believe the circumstances warrant payment on equitable grounds. The claimant gave law enforcement personnel information that could not be corroborated. He has now acknowledged in writing that he was mistaken and that the information he provided was erroneous. The DNR cannot support payment of a claim on equitable grounds for attorney fees for defending an action based upon information that was acknowledged by the claimant to be erroneous. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

3. William E. Stieglitz of Greenwood, Wisconsin claims \$12,000 for reimbursement for an elk destroyed due to a routine tuberculosis test required by the State. The elk was deemed a suspect during a routine test to accredit the claimant's herd as tuberculosis-free in September 1997. The elk was immediately tested again using a CCT test and she reacted at a level that resulted in her being classified as a suspect. According to the claimant, he was informed at that time by Dr. Tim Deveau, that routine worming shots might result in a false positive reaction to the TB test and to avoid further worming. The claimant asked about doing a BTB test and was told that it was not an accepted test. The elk was tested again in December 1997 and reacted at a level that resulted in her being classified as a reactor. Because of this reaction, the elk had to be destroyed. The claimant believes that an increase in liver flukes, due to the reduced worming, caused the elk to react to the TB test. The claimant also alleges that the elk would have been proven non-reactive, had she been tested using a BTB test. The claimant states that the elk, who was purebred and registered with the North American Elk Breeders Association, was tame, hand-raised, bottle-fed, and had a calming effect on the entire herd. She was young and pregnant at the time she was destroyed and the claimant alleges that she would have lived at least 12 more years, producing calves valued at \$4,000 to \$6,000 each. Given this information, the claimant has valued the elk at \$12,000 and requests reimbursement in that amount. The Department of Agriculture, Trade & Consumer Protection recommends denial of this claim. Both the federal Tuberculosis Eradication in Cervida Uniform Methods and Rules (UMR) and the Wisconsin Administrative Code s. ATCP 10.67(1), require three consecutive official TB tests of all eligible animals in the herd establishing no evidence of bovine TB before the herd can be accredited TB-free. The claimant wanted a BTB test conducted after the CCT test, however, ATCP 10.66(8), Wis. Admin. Code does not allow for a BTB test after a CCT test has been conducted. The elk in question classified as reactor in December 1997. Once she did so, Both the UMR and the Administrative Code require that she be killed. Dr. Tim Deveau, who performed the 1997 CCT test, is a veterinarian employed by the USDA. He followed the dictates of both the UMR and ATCP 10.66(1), Wis. Admin. Code, and there is no indication that he was negligent, therefore, the board should not award this claim based on alleged negligence by a state employe. The claimant has received the statutory indemnity of \$1500 for this

animal. \$1500 is the statutory limit on the amount of money paid out for indemnity, regardless of the pedigree of the animal. The Department believes that, in fairness to other farmers who have had animals slaughtered and have been limited to \$1500 indemnity, the Claims Board should deny this claim. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

4. Rodney Feltz of Marshfield, Wisconsin claims \$3,475 for damages to vehicle allegedly caused by a State Trooper during a vehicle inspection. In July 1996, the claimant brought the vehicle to the Marshfield Police department for a salvage title vehicle inspection. The claimant alleges that the Trooper who inspected the vehicle dented the fender and also chipped paint on the hood. The claimant states that the Trooper pried off the VIN tag and tore the inner fender away from the vehicle to inspect the hidden ID number. The claimant does not feel this was justified because the VIN tag was not loose and the vehicle was a low-mileage, family car with a low theft rate. The claimant also alleges that without using the proper testing equipment, the Trooper determined that the window tinting was not legal and told the claimant it would have to be removed. The Department of Transportation recommends denial of this claim. Trooper Albers performed the salvage vehicle inspection on the claimant's car. During the inspection, Trooper Albers noticed that one of the rivets holding the VIN tag in place was inserted at an angle. Applying slight pressure to the VIN tag, as trained, caused it to easily pop off, raising suspicion that the VIN tag had been replaced. The Trooper followed proper procedure and inspected the secondary VIN number location—behind the fender. In order to accomplish this, the Trooper carefully removed the inner fender lining. Trooper Albers states that he did not tear the inner fender away from the vehicle. The Trooper admits that he had not noticed the dent in the fender prior to the inspection, however, he has no recollection of causing the dent. Trooper Albers has stated that the paint chip on the hood was most likely caused by opening and shutting the hood, which was not properly aligned with the fenders, as is common on salvage vehicles. Trooper Albers denies that he told the claimant to remove the window tinting. He states that he gave the claimant the choice of either providing certification that the tint was legal or having the tinting removed. The claimant chose to have the tinting removed. The claimant has sold the vehicle for \$4300, without making any of the repairs for which he is requesting reimbursement. Furthermore, he has not submitted any documentation to verify his purchase price of the vehicle and substantiate that he has suffered a loss due to the alleged damage to the vehicle or the alleged depreciation in value related to the VIN tag removal. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

5. James Cape and Sons, Company of Racine, Wisconsin claims \$1,277,306 for increased costs allegedly incurred during a highway construction project for the Department of Transportation between June 1992 and August 1994. The claimant alleges that it incurred increased costs because of inconsistent and conflicting directives from the DOT, DOT's failure to direct Excavation Below Subgrade as required by the contract, design errors, changes, and DOT's failure to permit the claimant to prosecute all of the work in 1992 as required by contract. The claimant requests \$1,277,306 compensation for increased costs. The Department recommends denial of this claim. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers,

agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

6. Life Underwriters PAC and Wisconsin Association of Life Underwriters of Madison, Wisconsin claim \$3,100 for recovery of a forfeiture imposed by the State Ethics Board. The claimant, a lobbying principal, forfeited \$3100 for making campaign contributions through a political action committee, outside a "window period" established by the Ethics Board. The Ethics Board imposed this forfeiture based on an opinion that a PAC, which is established by a principal, may only contribute to a candidate during a "window period" between June 1 and the date of the general election. On February 23, 1994, the Dane County Circuit Court struck down the Ethics Board ruling with regards to the window period campaign contributions, finding that a PAC was not barred from making contributions outside this period because a PAC does not come within the definition of either lobbyist or principal and therefore is not subject to restrictions imposed on lobbyists or principals. The claimant's situation is the same as that in the referenced case, therefore, the claimant requests return of the forfeiture imposed by the Ethics Board, plus interest at the legal rate measured from July 24, 1994. The Ethics Board recommends denial of this claim. This claim is essentially identical to a claim previously filed by the Milwaukee Police Association. The Claims Board denied that claim at its October 14, 1997 meeting. In order to avoid a full investigation by the Ethics Board, the claimant accepted the Board's settlement offer and voluntarily paid the \$3,100 forfeiture. The claimant had every opportunity to allow a full investigation and to present its legal and factual arguments to an independent hearing examiner. The claimant could have sought review of any adverse decision in the Circuit Court and raised the same legal issue raised in other cases; it chose not to do so. Rather, the claimant now seeks to substitute the Claims Board as its preferred forum to obtain what it could not achieve in a settlement and was unwilling to try to achieve through statutory procedures. If the Claims Board permits the claimant to circumvent regulatory agencies in this way, then any litigant in a civil action to which the State is a party could foreclose an agency from fully investigating the facts, settle a claim, and appeal to the Claims Board. The Ethics Board believes the Claims Board should follow its own precedent and reject this claim. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles. (Member Albers dissenting. Members Lee and Simonson not participating.)

7. Robert Beavers of Eau Claire, Wisconsin claims \$5,598.40 for lost wages related to his transfer from a minimum security correctional facility to a medium security facility. This transfer occurred in response to an emergency administrative rule, effective December 8, 1988, which stated that all inmates with life sentences should be placed in medium or maximum security facilities. The claimant, who was serving a life sentence, had been assigned minimum security status since April 1987, because of his good behavior and work record. At the time of the transfer, he had worked as a firewood worker for two years and was earning \$250 per month. Because of the emergency rule, the claimant was transferred to a medium security facility, where he was assigned to work in the tailor shop at a much lower rate of pay. Inmates, including the claimant, filed a lawsuit against the Division (now Department) of Corrections regarding the emergency rule. In 1990, Dane County Circuit Court ruled that the rules enacted by Corrections were illegal and ordered the restoration of minimum security status to all life sentence prisoners who had been reclassified. The claimant was transferred back to Oregon Correctional,

where he resumed his previous job at his prior rate of pay. The claimant requests reimbursement of the difference in the amount that he was paid as a medium security inmate and the pay that he would have continued to receive had he remained a minimum security inmate at Oregon Correctional. The Department recommends denial of this claim. The Dane County Circuit Court decision was reversed by the Court of Appeals. *Burrus v. Goodrich*, 535 N.W.2d 85, 194 Wis.2d 655 (Ct.App. 1995), which sustained the rules and rejected the plaintiffs' (such as the claimant) assertions that the rules violated their ex post facto rights. The Supreme Court denied the petition for review on August 28, 1995. In other words, there is no legal basis for the claim. There is also no equitable basis for the claim. The claimant received a life sentence for First Degree Murder and was not entitled to serve as much of it in minimum security as he would have liked. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

8. Mya L. Haessig of Racine, Wisconsin claims \$63.23 for reimbursement for a car radio antenna. The claimant is employed by the Department of Corrections. In August 1996 she was conducting probation and parole home visits. When she returned to her car, the antenna was badly bent, so much so that it later broke off. The claimant is required to do home visits as part of her job duties with the Department. Agents can use state vehicles for these visits, however, the claimant alleges that they are frequently unavailable. The claimant states that she uses her own car for home visits because of the shortage of available state vehicles. While she agrees that there is no evidence that the criminal knew she was a probation and parole agent, the claimant feels that the state is responsible for the damage since it occurred while she was conducting state business. The Department recommends denial of this claim. Although the claimant's car was parked in the neighborhood because she was conducting home visits, that connection with the Department's business is too remote to justify requiring DOC to reimburse the claimant for the cost of replacing her antenna. There is no indication that the antenna was bent because the criminal knew she was a probation and parole agent. The damage is unfortunate, however it is not directly related to her employment; it could have happened to any other car parked in the neighborhood. The state should not be required to act as an insurer for its employes. A random crime was committed and there was no negligence on the part of the Department. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

9. Rosemary M. Flannum of Sturgeon Bay, Wisconsin claims \$1,563.25 for medical expenses incurred due to a fall at Ottawa Park. In August 1997, while visiting the park, the claimant allegedly tripped over a support post of a picnic table and fell, breaking her wrist. The bench on the table was missing, and the claimant states that she tripped on the exposed support post when she went to remove something from the table. The claimant states that she had been in the area for about an hour and had not consumed any alcohol. She does not have medical insurance to cover her expenses and requests reimbursement for her medical bills. The Department of Natural Resources recommends denial of this claim. The picnic tables in the Ottawa Lake picnic area had been inspected less than 1 week prior to the accident, pursuant to the park's routine inspection program. The bench was removed by unknown persons sometime after that inspection and had not been reported to park

personnel. It is clear that the state is not legally liable for this accident. Section 895.52, Stats., provides that the state has no liability to persons engaged in recreational activities in state parks and forests, in the absence of an malicious act or failure to warn against known unsafe conditions occurring in areas designated for recreational activity. In absence of legal liability or other information relating to the existence of special circumstances that would differentiate this claim from other situations covered by the recreational immunity statute, the Department believes the claim should be denied. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

10. George Bolwerk of West Bend, Wisconsin claims \$409.79 for cost of repairing an air conditioner and replacing a clock and coffee maker, which were allegedly damaged while he was camping at the Kettle Moraine State Forest in August 1997. The claimant contends that the electrical outlet at the campsite he used was incorrectly wired and caused damage to the appliances in his camper. The claimant requests reimbursement for his damages. The Department of Natural Resources recommends payment of this claim based on equitable principles. Although the state has no legal liability in this situation, the DNR acknowledges that the claimant's damages were caused by faulty wiring at the campsite and that the claimant was without fault in this situation. Department staff spoke with the contractor who installed the electrical outlet in an attempt to have him pay for the damages but he has refused to cooperate. The DNR recommends payment of this claim in the amount of \$409.79. The Board concludes the claim should be paid based on equitable principles. The Board further concludes, under authority of s. 16.007 (6m), Stats., payment should be made from the Department of Natural Resources appropriation s. 20.370(1)(mu) , Stats.

11. Timothy L. Kelso of De Forest, Wisconsin claims \$2,438.22 for reimbursement of income tax overpayment garnished from his wages. The claimant failed to file a personal income tax return for 1992. An estimated assessment was issued in November 1994 and certification of the claimant's wages began in 1996. The claimant filed his 1992 return in July 1997. His completed return indicated that he only owed \$25 tax, however, by that time, \$2,463.22 had been certified from his wages to satisfy the delinquent assessment. The claimant requests reimbursement of the overpaid amount, minus any late fees assessed by the Department. The Department of Revenue recommends denial of this claim. Section 71.75(5), Wis. Stats., prohibits the department from refunding the amount that was collected on the original assessment, since no refund was claimed within the prescribed two-year time period. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

12. Daniel J. Price of Oshkosh, Wisconsin claims \$8,280.64 for damages related to alleged lack of action by the Dodge County District Attorney's office in regard to his wage claim against BMI-Cherokee Ltd. On December 6, 1996, DILHR's Labor Standard Bureau determined that BMI-Cherokee Ltd., owed the claimant \$8,483.64 for business expenses that were incurred during his employment with that business. The case was referred to the District Attorney's office. The District Attorney informed the claimant that he was on a list of creditors as part of the corporation's liquidation, that there would be payment against his wage claim and there was no reason to file in small claims court. The claimant received a settlement check

for \$203.60, which was typical of the 2.4% for all unsecured creditors. The order of priority for outstanding liabilities clearly states that wages take precedence over unsecured creditors, however, BMI's attorneys proclaimed this claim as unsecured credit, contrary to DILHR's determination. The District Attorney took no action to correct this situation and uphold the claimant's wage claim. The claimant believes it was negligent for the District Attorney's office not to pursue this matter and requests payment of the balance of his wage claim. The Dodge County District Attorney's office recommends denial of this claim. The District Attorney's office was informed by BMI's attorneys that \$203 was all the money available for the claimant's claim. The District Attorney's office determined that the money owed to the claimant could only be collected from BMI, not from its officers, who were also named in the action. There was not anything else the DA's office could do to collect the money, as the BMI had liquidated and appeared to have no more available funds. The Assistant District Attorney working on this case exercised her discretion in choosing not to pursue court action, as it appeared futile. The claimant could still file a civil action against BMI, but it does not appear that he would be successful, as the company is defunct. The District Attorney's office exercised proper discretion in determining whether or not to file a court action against BMI and should not be held responsible for that company's debts. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles. (Member Albers dissenting.)

The Board concludes:

1. The claims of the following claimants should be denied:

Marilyn K. Stevenson
Kevin H. Ward
William E. Stieglitz
Rodney Feltz
James Cape and Sons, Company

Life Underwriters PAC/WI Association of Life Underwriters

Robert L. Beavers
Mya L. Haessig
Rosemary M. Flanum
Timothy L. Kelso
Daniel J. Price

2. Payment of the following amounts to the following claimants is justified under s. 16.007, Stats:

George Bolwerk \$409.79

Dated at Madison, Wisconsin this 27th day of May 1998.

ALAN LEE, CHAIR

Representative of the Attorney General

EDWARD D. MAIN, SECRETARY

Representative of the Secretary of Administration

TIMOTHY WEEDEN

Senate Finance Committee

SHERYL ALBERS

Assembly Finance Committee

STEWART SIMONSON

Representative of the Governor

**State of Wisconsin
 Department of Administration**

May 27, 1998

The Honorable, The Legislature:

Chapter 34, Laws of 1979, requires that when the Department of Administration maintains an office in Washington, DC, for the purpose of promoting federal/state cooperation, it should

submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other state agencies (Wis. Stats. 16.548(2)).

The report for the period January 1, 1998, through March 31, 1998, is attached.

Sincerely,

MARK D. BUGHER
Secretary

**State of Wisconsin
Department of Health and Family Services**

May 20, 1998

The Honorable, The Senate:

Wisconsin Statutes (s. 49.45(2)(a)20) require the Department to submit an annual report to the Joint Committee on Finance on the participation rates of children in the Early and Periodic Screening Diagnosis and Treatment Program. In Wisconsin, we have named this program "HealthCheck".

The report's purpose is to identify significant activities of Wisconsin Medicaid's HealthCheck program and, particularly, to report on the percent of children who received comprehensive health care screens through HealthCheck.

Wisconsin's actual screening ratio increased from 48% in 1996 to 54% in 1997. We believe the principal reason for the increasing screening ratio is the Medicaid managed care initiative. The Medicaid HMO contract requires an increasing HealthCheck screening ratio as one performance requirement. The screening ratio standard requirement increased from 40% in 1991 to 80% in 1996 and 1997.

Since children in HMOs are more likely to receive a HealthCheck screening than children in the fee-for-service system, we are expecting next year's HealthCheck screening ratio to continue to improve due to the recent HMO expansion. The numbers for the federal fiscal year (FFY) 1997 HMO screening exams are based on the number of screening exams reported by the HMOs for the first three quarters of FFY 1997; an estimate of screening exams is used for the fourth quarter. The fourth quarter is an estimate because HMOs are now submitting HealthCheck data semi-annually instead of quarterly. Fee-for-service numbers are counts of actual billed services.

I am pleased to send you the completed report for 1997.

Sincerely,

JOE LEEAN
Secretary

**State of Wisconsin
Legislative Audit Bureau**

May 28, 1998

The Honorable, The Legislature:

We have completed our annual financial audit of the Division of Gaming within the Department of Administration, as required by s. 13.94(1)(eg), Wis. Stats. We have issued an unqualified opinion on the Division's financial statement for the Racing, Indian Gaming, and Charitable Gaming programs for the years ended June 30, 1997 and 1996.

The Racing program's pari-mutuel tax revenue has decreased significantly in recent years. Between fiscal year (FY) 1994-95 and FY 1996-97, pari-mutuel tax revenue declined by approximately 45 percent, from \$4.7 million to \$2.6 million, and the Division projects pari-mutuel tax revenue will decline to \$2.3 million in FY 1997-98. Charitable Gaming program revenue has remained relatively stable at \$976,129 in FY 1994-95, \$952,781 in FY 1995-96, and \$975,627 in FY 1996-97. During our audit period, the Division's primary

revenue from the Indian Gaming program was the \$350,000 received annually from the 11 tribes as reimbursement for the State's regulatory costs.

Despite the reduction in pari-mutuel tax revenue, we found that Racing program revenues paid for some administrative expenditures that should have been charged to the Indian Gaming and Charitable Gaming programs in FY 1996-97. Specifically, the salary and fringe benefit expenditures for the Division's administrative staff were charged entirely to the Racing program, even though the duties and responsibilities of the staff encompass all three programs. Had these employee-related costs been allocated according to work effort, we estimate that an additional \$164,500 in racing proceeds would have been available for transfer to other programs. By statute, transferred funds are first to be used for programs to aid local fairs and for educational programs related to livestock, both of which are administered by the Department of Agriculture, Trade and Consumer Protection. Any excess funds are then to be transferred to the General Fund.

In future sessions, the Legislature will determine how to appropriate additional funds the State will receive as a result of Indian gaming compact negotiations. However, the Legislature will first need assurances that all gaming regulatory costs are fully recovered and charged to the correct programs. Therefore, we have included a recommendation for the Department of Administration to develop an equitable process to allocate administrative costs to all its gaming programs.

We appreciate the courtesy and cooperation extended to us by the Department of Administration's Division of Gaming. The Division's response is the appendix.

Sincerely,

JANICE MUELLER
State Auditor

**State of Wisconsin
Legislative Audit Bureau**

June 2, 1998

The Honorable, The Legislature:

As directed by the Joint Legislative Audit Committee, we have completed a review of differing approaches to reading instruction, a survey of the approaches used by Wisconsin classroom teachers and school district curriculum professionals, and an evaluation of the process used to develop the curriculum guides published by the Department of Public Instruction for districts to use when creating their reading curricula.

Reading instruction is a contentious topic, as school districts debate the merits of phonics instruction—a skills approach that emphasizes letter and sound combinations within words—versus whole language instruction—an approach that teaches words within the context of literature. Because there is research supporting both skills and context approaches to reading instruction, education professionals nationwide are beginning to support the use of a mixture of approaches that combines the strengths of phonics and whole language instruction.

We surveyed kindergarten through third-grade classroom teachers in Wisconsin and found that over 90 percent use a mixture of approaches to reading instruction, although approximately 40.6 percent of surveyed teachers reported a skills (phonics-related) emphasis, 33.1 percent reported a context (whole language-related) emphasis, and 20.8 percent reported no specific emphasis. Despite reporting different emphases within their approaches to reading instruction, teachers and districts reported little difference in the types of instructional resources and techniques they use in the classroom.

We also reviewed the task force process that the Department used to develop its *Guides to Curriculum Planning*. The process used to determine content for the 1985 *Guide to Curriculum Planning in Reading* allowed for information about phonics and whole language instruction to be included, although this issue was not as contentious when the guide was being developed. The reading guide is now outdated, and we include a recommendation for how the Department can expand participation in the task force process to ensure reading instruction issues are comprehensively addressed in a future revision.

We appreciate the courtesy and cooperation extended to us by the Department of Public Instruction. The Department's response is Appendix III.

Sincerely,

JANICE MUELLER
State Auditor

EXECUTIVE COMMUNICATIONS

THE STATE OF WISCONSIN OFFICE OF THE GOVERNOR

EXECUTIVE ORDER #336

Relating to a Proclamation that the Flag of the United States and the Flag of the State of Wisconsin be Flown at Half-Staff as a Mark of Respect for the Memory of the Late Barry M. Goldwater, Former United States Senator from the State of Arizona

WHEREAS, Barry M. Goldwater died at his home in Paradise Valley, Arizona at the age of 89 on Friday, May 29, 1998; and

WHEREAS, Barry M. Goldwater faithfully and patriotically served the people of the United States as a United States Senator and as a member of the Armed Forces; and

WHEREAS, President Clinton has ordered that the flag of the United States shall be flown at half-staff on Wednesday, June 3, 1998 as a mark of respect for the memory of the late Barry M. Goldwater;

NOW, THEREFORE, I, TOMMY G. THOMPSON, Governor of the State of Wisconsin, by the authority vested in me by Federal and State law, do hereby order that the flag of the United States and the flag of the State of Wisconsin shall be flown at half-staff at all buildings, grounds and military installations of the State of Wisconsin equipped with such flags beginning at sunrise on Wednesday, June 3, 1998 and ending at sunset on that date as a mark of respect for the memory of the late Barry M. Goldwater.

IN TESTIMONY WHERE OF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the city of Madison this second day of June in the year one thousand nine hundred and ninety-eight.

TOMMY G. THOMPSON
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE
Secretary of State

State of Wisconsin Office of the Governor

May 28, 1998

The Honorable, The Senate:

As required by Article V, Section 6 of the Wisconsin Constitution, I am submitting the annual Executive Clemency report to the Legislature, covering those clemency cases upon which final dispositions were rendered for applicants during the calendar year 1997. The following applicants received full pardons in 1997:

John R. Bernhoft, convicted of Attempted Theft from Person as a Party to a Crime and sentenced on 4/12/79 to 2 years probation plus restitution and costs, recommended by the Pardon Advisory Board by a vote of 5-0 to be granted a pardon, was granted a pardon on 11/7/97, because he is a productive member of society and otherwise deserving of extraordinary relief.

Robert D. Brown, convicted of Burglary and sentenced on 6/6/61 to 2 years prison, recommended by the Pardon Advisory Board by a vote of 6-0 to be granted a pardon, was granted a pardon on 7/26/97, because he is a productive member of society and otherwise deserving of extraordinary relief.

Richard J. Carlson, convicted of being Unlawfully Armed with a Concealed and Dangerous Weapon and Possession of a Controlled Substance (Marijuana) and sentenced on 10/11/74 to 1 year probation for each count, to run concurrently, recommended by the Pardon Advisory Board by a vote of 2-2 to be granted a pardon, was granted a pardon on 12/22/97, because he is a productive member of society and otherwise deserving of extraordinary relief.

Bruce T. Ciskie, convicted of Attempted Burglary and sentenced on 1/8/58 to 1 year probation and \$5 court costs, recommended by the Pardon Advisory Board by a vote of 5-0 to be granted a pardon, was granted a pardon on 10/11/97, because he is a productive member of society and otherwise deserving of extraordinary relief.

Calvin L. Glessing, convicted of Causing Bodily Harm to a Peace Officer and sentenced on 1/20/76 to not more than 1 year prison, recommended by the Pardon Advisory Board by a vote of 3-2 to be granted a pardon, was granted a pardon on 11/7/97, because he is a productive member of society and otherwise deserving of extraordinary relief.

Dennis Robert Heilberger, convicted of Theft and sentenced on 2/27/61 to not more than 2 years prison, recommended by the Pardon Advisory Board by a vote of 5-0 to be granted a pardon, was granted a pardon on 10/11/97, because he is a productive member of society and otherwise deserving of extraordinary relief.

Cynthia Klyve Lester, convicted by 2 Counts of Delivery of a Controlled Substance (heroin) and sentenced on 6/5/74 to not more than 18 months prison on each count to run concurrently (stayed), 2 years probation and restitution, recommended by the Pardon Advisory Board by a vote of 6-0 to be granted a pardon, was granted a pardon on 10/11/97, because she is a productive member of society and otherwise deserving of extraordinary relief.

Richard J. Proctor, convicted of Warehousing Drugs in a Vehicle and sentenced on 1/22/90 to 1 year probation, \$500.00 fine and costs, recommended by the Pardon Advisory Board by a vote of 6-0 to be granted a pardon, was granted a pardon on 7/26/97, because he is a productive member of society and otherwise deserving of extraordinary relief.

James M. Smith, convicted of Burglary and sentenced on 4/1/58 to 18 months probation and \$21.83 in costs, recommended by the Pardon Advisory Board by a vote of 5-0 to be granted a pardon, was granted a pardon on 12/22/97, because he is a productive member of society and otherwise deserving of extraordinary relief.

Sincerely,

TOMMY G. THOMPSON
Governor

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 98-014

Relating to fertilizer bulk storage, pesticide bulk storage and the agricultural chemical cleanup program.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, June 3, 1998.

Referred to committee on **Transportation, Agriculture and Rural Affairs**, June 3, 1998.

Senate Clearinghouse Rule 98-015

Relating to aggregating creditable coverage for the state health insurance risk-sharing plan under s. 149.10 (2t) (a), Stats.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, June 1, 1998.

Referred to committee on **Insurance**, June 3, 1998.

Senate Clearinghouse Rule 98-035

Relating to permit fees and related fees, including a one-time technology improvement surcharge, for the operation of public swimming pools, recreational and educational camps, campgrounds, hotels and motels, tourist rooming houses, restaurants, bed and breakfast establishments and food and beverage vending operations and commissaries.

Submitted by Department of Health and Family Services.

Report received from Agency, May 29, 1998.

Referred to committee on **Health, Family Services and Aging**, June 3, 1998.

The committee on **Business, Economic Development and Urban Affairs** reports and recommends:

Senate Clearinghouse Rule 98-007

Relating to the brownfields grant program.

No action taken.

Senate Clearinghouse Rule 98-017

Relating to the design and construction of commercial buildings and uniform multifamily dwellings.

No action taken.

Gary Drzewiecki
Chairperson

The committee on **Environment and Energy** reports and recommends:

Senate Clearinghouse Rule 94-205

Relating to building and paying for electric distribution service extensions.

No action taken.

Robert Cowles
Chairperson

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 357

Presented to the Governor on June 2, 1998.

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 38

Senate Bill 40

Senate Bill 462

Presented to the Governor on June 3, 1998.

MOTIONS UNDER SENATE RULE 98

for the Month of May 1998

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grobschmidt, for Edwin and Bernelle Adamczyk, on the occasion of celebrating their 50th Wedding Anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Burke, for Brenda Auterman, on the occasion of earning and attaining the Girl Scouts Gold Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Kasey Becker, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Clausen, for Tony Black, on the occasion of becoming the 1998 Division 1 State 103-pound Wrestling Champion.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for the Blanchardville Dam, on the occasion of its restoration on Wisconsin's Sesquicentennial Statehood Day, May 29, 1998.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Noah Blum, on the occasion of his dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Paul E. Boyette, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Andrew "Andy" Brodzeller, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Chris Brophy, on the occasion of his dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Sally Brown, on the occasion of her dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Rosenzweig, for Virginia "Ginger" Campion, on the occasion of her retirement after 22 years of dedicating and nurturing the love of reading in thousands of children.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Chris Caro, on the occasion of his dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Weeden, for Richard Cherf, on the occasion of his retirement after 32 years of dedicated service to the students of Janesville.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Community Living Alliance, on the occasion of the continued dedication to promoting independent living among disabled people.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Breske, for Gary Lee Cyrus, on the occasion of his devotion to the betterment of the cognitively challenged youth of the School District of Crandon.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Pamela Erickson, on the occasion of her dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Burke, for Milton Esser, on the occasion of being awarded the Tools for Success Scholarship for his work in Cabinetmaking and Millwork.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for James Richardson Fee, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for David Fisher, on the occasion of his dedication to Workforce 2010.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Ellis, for Mark French, on the occasion of his retirement after 22 years as Principal of Gegan School.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Alissa Garrett, on the occasion of her dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Sean Patrick Gerber, on the occasion of earning and attaining the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Nicholas Gilbertson, on the occasion of his dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for Beth Glynn, on the occasion of 7 years of service as the Health Room Aide and is now retiring from the Hamilton High School.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Burke, for Jory Granger, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Fitzgerald, for Jason Ronald Guenther, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Jon Gunter, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Mark Hamblin, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Decker, for Joseph S. Hart, on the occasion of celebrating his 80th Birthday.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Clausing, for Mr. Robert Heebink, on the occasion of his 50 years of service to the City of Richmond.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Roessler, for Amy Hildebrandt, on the occasion of her graduation and wish her well in her endeavors to better educational instruction and opportunities for our students.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Clausing, for the Hudson High School Girl's Basketball Team, on the occasion of winning the 1998 Division 1 State Girls' Basketball Championship in Madison on March 14, 1998.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Breske, for Deward Ison, on the occasion of his enthusiasm in sharing his gift to teach with his students in his classroom for many years.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Amenaghawon Iyi-Eweka, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Plache, for Bradley Johnson, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Rude, for Ron Johnson, on the occasion of his 18 years of dedicated service to the La Farge School Board.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Pennie Kaiser, on the occasion of her dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for Jo Anne Keaton, on the occasion of 25 years of service as the Guidance Secretary and is now retiring from the Hamilton High School.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Moen, for Jerry Keene, on the occasion of 40 years of excellent Dry-Cleaning service to the residents of Wisconsin.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Weeden, for Lawrence Keeney, on the occasion of his retirement and years of dedicated service to the students of Janesville.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for Dr. Gerald C. Kempthorne, on the occasion of honoring him for his accomplishments and the dedicated service to the State of Wisconsin.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Rosenzweig, for Henry "Pat" Kerns, on the occasion of being honored by the American Jewish Committee.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Plache, for Peter Keyel, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Jason Kleinhans, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Noel Klug, on the occasion of her dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Andrew Koch, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Tracy Krueger, on the occasion of her dedication to Workforce 2010.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for Amanda La Frenier, on the occasion of earning and attaining the Girl Scouts Gold Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for the Land O' Lakes Fish and Game Club, on the occasion of their 50th Anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Decker, for Justin James Langbecker, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Plache, for Richard Lemsky, on the occasion of earning attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for William Maas, on the occasion of 30 years of service as the Library Media Specialist and is now retiring from the Templeton Middle School.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator George, for the Mandel Company which started in 1892 by Emanuel Mandel, on the occasion of being named the 1997 "Partners in Excellence" award by the Miller Brewing Company.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Stephen and Joan Marcus, on the occasion of being honored by COA as "Parents of the Year" for their many years of volunteer service to the community.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Rude, for Mr. Philip J. Matchett, on the occasion of being one of the Wisconsin's 12 Presidential Scholars Program semifinalists.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Roessler, for Dr. Donald McDonald, on the occasion of retirement and for his many years of outstanding medical service to the Winneconne community.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Scott McHenry, on the occasion of his dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Bucky and Ruthanne McKinley, on the occasion of earning the distinction of being named "Parents of the Year" by COA.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Kristin Meier, on the occasion of her dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Brett Meyer, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for Francine Meyer, on the occasion of her 6 years of service as the Business Secretary and is now retiring from the Hamilton School District.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for Dick Mueller, on the occasion of 32 years of service as the 4th Grade Teacher and is now retiring from the Maple Avenue Elementary School.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Risser, for George Michael Mulcahy, on the occasion of celebrating his 80th Birthday.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Alex Nepple, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Sarah Nielsen, on the occasion of her dedication to Workforce 2010.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Andrew Nitzke, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Plache, for Adam Pechman, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Eric Peterson, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for Eunice Pflieger, on the occasion of 21 years of service as the Speech Language Teacher and is now retiring from the Marcy Elementary School.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for Diana Lee Pierce, on the occasion of 39.5 years of service as Kindergarten Teacher and is now retiring from the Marcy Elementary School.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Schultz, for Shirley Pink, on the occasion of her retirement after 41 years of dedicated service as a teacher in the Lancaster School District.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Breske, for Michael Poler, on the occasion of his support to the Patsy Shay Veterans of foreign Wars Post 3309 of Crandon.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grobschmidt, for Michael Richmond, on the occasion of being chosen the "1998 Oak Creek Person of the Year".

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for Therese Rozga, on the occasion of 30 years service as Communication Arts Professor at the University of Wisconsin – Waukesha.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Risser, for Samuel and Frances Rotman, on the occasion of celebrating their 90th and 85th Birthday's and also their 60th Wedding Anniversary.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Landon Ruka, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Huelsman, for Robert T. Ryer, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Rosenzweig, for Saint Mary's Polish National Catholic Church, on the occasion of celebrating their 75th Anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Roessler, for James Schmitz, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Matt Schowalter, on the occasion of his dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Melanie Schumacher, on the occasion of her dedication to Workforce 2010.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for Sandra Schwengel, on the occasion of her 19 years of service as the Learning Center Aide and is now retiring from Hamilton High School .

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Panzer, for Seek Incorporated, on the occasion of receiving the Outstanding Business Award from the Grafton Area Chamber of Commerce.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Michael Sidell, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for Patsy Steinbach, on the occasion of her 32 years of service as the Reading Specialist and is now retiring from the Marcy Elementary School.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Grobschmidt, for St. Mary's Hospital, on the occasion of its 150th Anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Robert Stork, on the occasion of his dedication to Workforce 2010.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Shibilski, for Jessica Lynn Strub, on the occasion of taking first place in the 139-pound weight class at the state powerlifting meet held in Kaukauna.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Daniel J. Swanson II, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Brian Tennies, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Farrow, for James Toshner, on the occasion of 27 years of service as the 4th Grade Teacher and is now retiring from the Lannon Elementary School.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Farrow, for Joseph and Joan Trinkl, on the occasion of celebrating their 50th Wedding Anniversary.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Dana Turner, on the occasion of earning and attaining the Girl Scout Gold Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Decker, for Adam Vanden Heuvel, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Breske, for Tony "Bones" Van Zile, on the occasion of his support to the Patsy Shay Veterans of foreign Wars Post 3309 of Crandon.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Breske, for Amanda Jean Vozka, on the occasion of her outstanding bravery and ability to think under pressure in an emergency situation.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Breske, for Ericka Ann Vozka, on the occasion of her outstanding bravery and ability to think under pressure in an emergency situation.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Joseph Walsh, on the occasion of his dedication to Workforce 2010.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Risser, for Wells Print and Digital Services, on the occasion of 76 years of longevity in this Sesquicentennial year.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Jack Wendlandt, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Rosenzweig, for the City of West Allis, on the occasion of the dedication of the historic log school house, as Wisconsin marks its 150th Anniversary of Statehood.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator George, for WHAD, on the occasion of their first 50 years.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Rude, for James W. White, on the occasion of his retirement after 22 years as the Director of the La Crosse Public Library.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Schultz, for Carl Wilke, on the occasion of his 18 years of dedicated service as the Juneau County Clerk and is now retiring.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Wineke, for Jayn Wittenmyer, on the occasion of receiving the 1998 Victor J. Contrucci Outstanding Service Award.